

An
Bord
Pleanála

Board Direction BD-019814-25 ABP-314019-22

The submissions on this file and the Inspector's report were considered at a Board meeting held on 28/05/2025.

The Board decided to refuse permission for the following reasons and considerations.

Reasons and Considerations

It is considered that the layout and configuration of the proposed Community, Arts, and Culture Spaces, as set out on the 'Ground Floor Plan – Oral Hearing' drawing (dated 27th February 2025), which was submitted and presented on behalf of the applicant at the limited agenda oral hearing which took place on Thursday March 13th 2025, would result in potential for public access from the community spaces in Block F to communal open space between Blocks F and G via external doors/ground floor balconies which would have a significant negative impact on the amenity of that communal open space which is intended for the sole use of the residents of the proposed development. Furthermore, it is considered that the degree of fragmentation of the proposed Community, Arts, and Culture Spaces throughout the proposed development, its potential impact on adjacent residential units, as well as the extent of the non-residential ground floor frontage onto public and communal open spaces would result in direct overlooking of communal open spaces, overlooking of adjacent residential property by members of the public, potentially low levels of activity at certain times of the day along these ground floor frontages and a reduced level of appropriate supervision of adjacent open space areas. It is

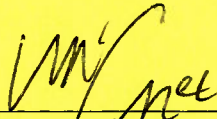
therefore considered that the ground floor layout of the proposed development, as submitted to the Board at the limited agenda oral hearing, would be likely to result in poor levels of residential amenity for residents of the proposed scheme, which would be contrary to the requirements set down at section 15.4.5 of the Dublin City Development Plan 2022-2028 (Safe and Secure Design) and the requirement, as set out in Appendix 3 of the Dublin City Development Plan 2022-2028 (Performance Criteria in Assessing Proposals for Enhanced Height, Density and Scale), to provide well connected, high quality, and active public and communal spaces, and that the proposal would therefore be contrary to the proper planning and sustainable development of the area.

In deciding not to accept the Inspector's recommendation to grant permission, the Board noted and agreed with the Inspector's concerns regarding the lack of any elevation drawings of the proposed Community, Arts, and Culture Spaces and the potential for public access from the community spaces in Block F to communal open space between Blocks F and G via external doors/ground floor balconies. The board also had a concerns regarding the fragmentation and of the proposed Community, Arts, and Culture Spaces throughout the proposed development, it's potential impact on adjacent residential units, as well as the extent of non-residential ground floor frontage onto public and communal open spaces which could result in low levels of activity at certain times of the day along these ground floor frontages and a reduced level of supervision of adjacent open space areas.

The Board concluded that this was a significant issue that could not be adequately addressed by condition and therefore decided to refuse permission, notwithstanding the fact that permission had previously been granted for a Large Scale Residential Development (LRD) on the same site with ground floor Community, Arts, and Culture

Spaces, in what was considered to be a more acceptable configuration, which had greater regard to the inter-relationship between the Community, Arts, and Culture Spaces, adjacent residential units, and adjacent public and communal open space areas.

Board Member


Liam McGree

Date: 03/06/2025